

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark J. Whalen et al.

Serial No. : 10/822,546 Examiner: Hoelestra, Jeffery Gerben

Filed : April 12, 2004 Group Art Unit: 3736

For : DIAGNOSTIC URETHRAL ASSEMBLY & METHOD

Docket No. : 25064/104/102

REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. 1.114)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

TIME REQUEST IS BEING MADE

2. This request is being submitted (check appropriate item(s) below):

- i. Prior to abandonment of the application
- ii. Payment of the issue fee
 - Prior to payment of issue fee
 - Issue fee has been paid but a petition under § 1.313 has been granted
- iii. Prior to a decision on appeal to the Board of Patent Appeals & Interferences
 - A notice is being separately sent to the Board of Patent Appeals & Interferences that this request for Continued Examination is being filed.

iv. Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or
 Commencement of a civil action under 35 U.S.C. 146
 Prior to the filing of such appeal or commencement of civil action
 Such appeal or commencement of civil action has been terminated

ENCLOSURES

3. Enclosed herewith is/are:

An information disclosure (37 C.F.R. § 1.98)
 Form PTO-1449 (PTO/SB/08A and 08B)

An amendment

New arguments

New evidence in support of patentability

Other:

FEE FOR REQUEST (37 C.F.R. § 1.17(e))

4. This application is on behalf of:

Small entity (and status is still as small entity)
\$395.00

Other than a small entity
\$790.00

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

(complete (c) or (d), as applicable)

(c) No additional fee is required.

OR

(d) Total additional fee required is \$ 100.00.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

(a) Applicant petitions for an extension of time, the fees

for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

Extension for <u>months</u>	Fee for other than <u>small entity</u>	Fee for small entity
<input type="checkbox"/> one month	\$120.00	\$60.00
<input type="checkbox"/> two months	\$450.00	\$225.00
<input type="checkbox"/> three months	\$1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00

If an additional extension of time is required, please consider this petition therefor.

(check and complete the next item, if applicable)

An extension for _____ months has already been secured, and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

(b) Applicant(s) believe(s) that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that Applicant(s) has/have inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE (S) DUE

7. The total fee(s) due is/are:

Continued Prosecution Fee (\$ 1.17(e)) \$ 395.00

Fee(s) for additional claims (if any) \$ 100.00

(§ 1.16(b)-(d))
Extension of time fee (if any) \$ _____
(§ 1.17(a)(1)-(4))

Total Fee(s) Due \$ 495.00

PAYMENT OF FEE (S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

Check is attached for the sum of \$ _____

Charge Account 14-0620 the sum of \$ _____

Please charge any deficiencies or credit any over payment to Deposit Account 14-0620.

INVENTORSHIP

9. This application as amended names as inventors:

the same inventors as previously designated for the claims.

fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.

a person not named previously as an inventor and a petition under 37 C.F.R. § 1.48 is/has separately:

being filed

been filed

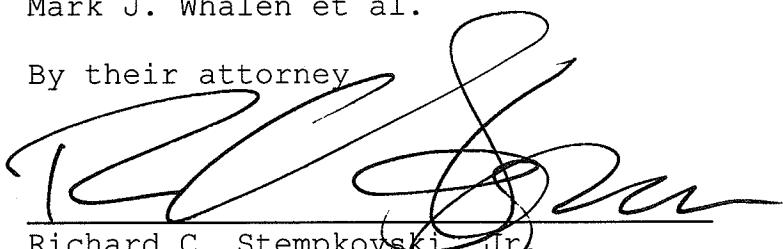
DEFERRAL OF EXAMINATION

10. A request for deferral of examination accompanies this request for continued examination.

Respectfully submitted,

Mark J. Whalen et al.

By their attorney



Date 5/29/07

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